

REMARKS

Claims 1-23 are all the claims pending in the application. The Examiner considered the arguments submitted in the Response filed on June 14, 2004, and found those arguments to be persuasive.¹ Therefore, the previous rejections have been withdrawn. However, the Examiner now rejects the pending claims based on new grounds. Specifically, claims 1-23 are now rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nakanishi et al. (U.S. Patent No. 5,805,196) in view of Yamazaki (U.S. Patent No. 6,285,800) and Hirota et al. (U.S. Patent No. 5,973,802). Applicant traverses these rejections at least based on the following reasons.

In summary, throughout much of the Office Action, the Examiner simply relies on the respective Abstracts of the applied references to support the claim rejections. However, as argued below, the Examiner does not identify the aspects of the applied references which allegedly correspond to the specific claim limitations. Therefore, at least based on the following arguments, Applicant submits that the present claimed invention is patentably distinguishable over the applied references, either alone or in combination.

First, with respect to independent claim 1, the Examiner is correct that Nakanishi, according to the Abstract, teaches successfully inputting color images into a monochromatic CRT as a monochromatic image, however Nakanishi does not teach or suggest at least, “displaying the monochromatic image...in said color display device,” as recited in claim 1.

¹ Actually, the Examiner indicates in numbered paragraph one (1) on page 2 of the present Office Action that the previous Response was filed on October 22, 2004, however no response was filed on that date. Applicant believes that the Examiner intended to indicate that the previous Response was filed on June 14, 2004.

Displaying color images in a monochromatic CRT is different from displaying a monochromatic image in a color display device.

Further, with respect to claim 1, the Examiner acknowledges that Nakanishi does not teach or suggest “displaying the monochromatic image having a higher gradation resolution than reproduction performance of each of the R, G and B cells in said color display device,” as recited in claim 1. The Examiner, however, alleges that Hirota makes up for this deficiency of Nakanishi. That is, the Examiner alleges that Hirota teaches that “when a monochromatic image is reproduced, a user can select desired mixing coefficients of red, green and blue in order to control gradation data for the reproduction of a monochromatic image (see the Abstract and Figure 1).” In response, Applicant submits that assuming, *arguendo*, Nakanishi does teach displaying a monochromatic image, nowhere does Nakanishi teach or suggest displaying the monochromatic image having a higher gradation resolution than reproduction performance of each of the R, G and B cells and the color display device. The gradation conversion can provide an 8-bit R, G, B input and still only produce an 8-bit gradation monochrome output, with variation in the mixing coefficient for the R, G, B data. The mere variations of mixing coefficients does not inherently lead to the gradation resolution relation as described in claim 1.

Yet further with respect to claim 1, Applicant submits that one skilled in the art would NOT have been led to combine Nakanishi with Hirota, to arrive at the present invention, as two different inventions are taught in these respective references. Nakanishi is directed to an image recording apparatus and a monochromatic CRT for use therein. *See column 4, lines 1-20 of Nakanishi*. Differently, Hirota is directed to a digital image reproducing apparatus, such as a copying machine (*see column 1, lines 13-19*).

Applicant also submits that the secondary reference specifically teaches away from claim 1 such that it is inapplicable for supporting the rejection. Yamazaki permits a reduction in gradation representation from a source to a destination space. Col. 2, lines 1-4. By contrast, the display monochromatic image has a higher gradation than the source production cells.

Applicant submits that dependent claims 2-9, 17, 19, and 22 are patentable at least by virtue of their respective indirect or direct dependencies from independent claim 1.

Further, with respect to dependent claim 4, the Examiner alleges:

Nakanishi teaches an exposure luminance setting means for each separation color and emitting luminance control means (Abstract). [Hirota] teaches selection of the desired mixing coefficients of red, green and blue in order to control gradation data for reproduction of monochromatic image (Abstract). It would have been obvious to utilize Hirota's selection coefficients with respect to red, green and blue colors, along with Nakanishi's luminance control to establish relationship between input values and luminance.

In response, Applicant submits that the applied references, either alone or in combination, do not teach or suggest the specific features recited in claim 4. That is, assuming, *arguendo*, the particular references teach what the Examiner alleges, nowhere in any of the applied references are the specific features set forth in claim 4 even mentioned. Moreover, it is clear that the Examiner's rationale that, "it would have been obvious to utilize Hirota's selection coefficients with respect to red, green and blue colors, along with Nakanishi's luminance control to establish relationship between input values and luminance," does not support the rejection of claim 4, as none of the applied references, including Hirota, even so much as mention the limitations set forth in claim 4.

Further, with respect to dependent claims 5 and 6, the Examiner simply repeats the same general arguments as set forth above with respect to claim 4, however the Examiner does not

focus on the particular limitations set forth in each of the claims 5 and 6, respectively.

Therefore, the Examiner clearly has not established that the particular features set forth in each of claims 4-6 are satisfied by any of the applied references, either alone or in combination.

Further, with respect to dependent claims 7-9, 14, 19, and 22, the Examiner again only makes general allegations about the teachings of the applied references, but does not identify specific aspects of the applied references that allegedly correspond to the claim limitations set forth in each of claims 7-9, 14, 19, and 22.

Further, with respect to claim 17, it is obvious that the Examiner has utilized impermissible hindsight reasoning in alleging that it would have been obvious that the image processing as shown in Yamazaki is well known in the medical field, as nowhere does Yamazaki even mention use of the invention set forth therein, in the medical field.

With respect to independent claim 10, the Examiner rejects this claim for many of the reasons set forth with respect to claim 1, and adds a few new arguments specifically with respect to claim 10. In response, Applicant submits that the applied references, either alone or in combination, do not teach or suggest, “wherein the monochromatic image is displayed having a higher gradation resolution than reproduction performance of each of the R, G and B cells in said color display device,” as recited in amended claim 10, and as similarly argued above with respect to claim 1. Applicant also maintains that one skilled in the art would not have been led to combine Nakanishi, Yamazaki and Hirota to arrive at the feature of amended claim 10.

Applicant submits that dependent claims 11-16, 18, 20, 21, and 23 are patentable at least by virtue of their respective indirect or direct dependencies from independent claim 10.

Further, Applicant submits that dependent claims 11-16 are patentable for reasons similar to those set forth above with respect to claims 4-9, respectively.

With respect to dependent claims 20, 21, and 23, the Examiner again does not address the particular limitations set forth in each of these claims. The Abstracts of Hirota and Nakanishi do not satisfy the respective features of claims 20, 21, and 23.

Finally, Applicant adds claims 24 and 25 to describe the gradation aspects of the invention more particularly. Applicant submits that these new claims are patentable at least by virtue of their respective dependencies from independent claims 1 and 10.

Applicant also adds claims 26 and 27, and submits that these claims are patentable at least by virtue of their respective dependencies.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U. S. Application No. 09/617,308

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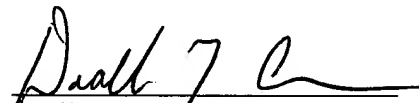
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